

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Zagoskin, Alexandre M.
Assignee: D-Wave Systems, Inc.
Title: PERMANENT READOUT SUPERCONDUCTING QUBIT
Serial No.: 09/452,749 Filed: December 1, 1999
Examiner: Not Assigned Group Art Unit: 1751
Docket No.: M-7971 US

FAX COPY RECEIVED

JUL 26 2001

San Jose, California
January 20, 2000

BOX MISSING PARTS
ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

TECHNOLOGY CENTER

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
APPLICATION - FILING DATE GRANTED**

Dear Sir:

In response to the "Notice to File Missing Parts of Application - Filing Date Granted" mailed by the United States Patent and Trademark Office on January 14, 2000, the following documents are enclosed to complete the filing of the above-identified patent application:

1. A declaration signed by the inventors in compliance with 37 CFR 1.63;
2. Verified Statement Claiming Small Entity Status -- Small Business Concern;
and
3. Copy of Notice to File Missing Parts of Application - Filing Date Granted.

The United States Patent and Trademark Office is hereby authorized to charge the following fees to Deposit Account No. 19-2386:

- | | |
|---|----------|
| 1. Surcharge for filing declaration on a date later than the filing date of the application. | \$ 65.00 |
| 3. TOTAL FEES: | \$ 65.00 |

LAW OFFICES OF
SKJERVEN, MORRILL,
MACPHERSON, FRANKLIN
& PHELPS LLP
35 METRO DRIVE
SUITE 701
SAN JOSE, CA 95110
(408) 455-9700

593047 v1

- 1 -

SER. NO. 09/452,749

F-817 1-182 P 008/013

4084537978

From-SKJERVEN MORRILL MACPHERSON 11:54am 01-26-01

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-2386.

It is hereby respectfully submitted that the enclosed documents complete the filing of the above patent application and justify the filing date of December 1, 1999. Please telephone the undersigned at (408) 453-9200, if there are any questions. This form is being submitted in duplicate.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231, on January 20, 2000.

David Millers 1-20-00
Attorney for Applicant Date of Signature

Respectfully submitted,

David Millers

David T. Millers
Attorney for Applicant
Reg. No. 37,396



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO./TITLE |
|--------------------|---------------------|-----------------------|---------------------------|
| 09/452,749 | 12/01/99 | ZAGOSKIN | A M-7971-US |

DAVID T MILLERS
25 METRO DRIVE STE 700
SAN JOSE CA 95110-1349

0242/0114

NOT ASSIGNED

1751

DATE MAILED:

01/14/00

NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

Applicant must submit \$_____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$_____ for _____ total claims over 20.

\$_____ for _____ independent claims over 3.

\$_____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

**BOX ASSIGNMENT
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231**

Applicants: Zagoskin, Alexandre M.
Assignee: D-Wave Systems, Inc.
Title: Permanent Readout Superconducting Qubit
Serial No.: 09/452,749
Filed: December 1, 1999
Any Docket No.: M-7971 US

ENCLOSED:

1. This Return Receipt Postcard;
2. Recordation Cover Sheet (1 page, in duplicate); and,
3. Assignment (1 page).

DTM/ct
January 20, 2000
593076 v1

**BOX ASSIGNMENT
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231**

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January 20, 2000
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**SCHEVEN, MORRIL MACPHERSON,
FRANKLIN AND FRIEL LLP**

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200 JAN 24 AM 11:35
OPR/FINANCE

25 Metro Drive
Suite 700

San Jose
California 95110

T: 408-453-9200
F: 408-453-7979

Austin, TX
Newport Beach, CA
San Francisco, CA

skjerven morrill
macpherson LLP

Date: 7/26/01
To: Kim Duncan

Fax Telephone #: 703-308-5841

Office Telephone #: 703-308-9482

From: Gary Edwards
Subject: SN 09/452,749
Client/File: M-7971 US

| | |
|---------------|---------|
| Date Sent: | July 26 |
| Time Sent: | 11:00 |
| Fax Operator: | Picky |

(13)
This transmittal consists of page(s), including this cover sheet.

Message:

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If you do not receive all pages, please call (408) 453-9200

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT(S) NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

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Serial No.: 09/452,749
Filed: 12/01/99
Atty Docket No.: M-7971 US

ENCLOSED:

1. This Return Receipt Postcard;
2. Request For Refund (2 pages);
3. Copy of Return Receipt Postcard submitting Verified Statement Claiming Small Entity Status
4. Copy of Verified Statement Claiming Small Entity Status - Small Business Concern
5. Copy of Application Filing Transmittal Letter (1 page);
6. Copy of Monthly Statement of Deposit Account - dated 12/30/99

DTM/ct
02/10/00

601084 v1

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RECEIVED - PATENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Applicants: Zagoskin, Alexandre M.
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601084 v1

SKJERVEN, MORILL MACPHERSON
FRANKLIN & FRIEL

FEB 22 2000

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BY MORTY DEPT